

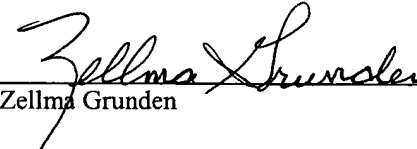


EXHIBIT A

**BARNES & THORNBURG LLP**

600 One Summit Square  
Fort Wayne, Indiana 46802  
(260) 423-9440

**PATENT APPLICATION  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Customer No.:	23641	}	<u>Certificate Under 37 CFR 1.8(a)</u>
Application No.:	10/814437	}	
Confirmation		}	I hereby certify that this correspondence is
No.:	5445	}	being deposited with the United States
Filing Date:	March 30, 2004	}	Postal Service as first class mail in an
Attorney		}	envelope addressed to: Mail Stop
Docket No.:	37995/82816	}	Amendment, Commissioner for Patents,
First Named		}	P. O. Box 1450, Alexandria, VA 22313-
Inventor:	Eric C. Smith	}	1450
Group Art		}	
Unit:	3751	}	on <u>February 8, 2007</u>
Examiner		}	
Name:	Tuan N. Nguyen	}	
Title:	HAND-OPERABLE PISTON PLUNGER	}	Zellma Grunden

**DECLARATION UNDER 37 C.F.R. § 1.132 OF LORI PFEIFFER**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I declare as follows:

1. I have over twenty-seven (27) years of experience in the hardware retail industry. I am currently the President of Teghtmeyer Ace Hardware Inc. and have held this position for over six (6) years. Our company offers a variety of hardware products at a retail location in Columbia City, Indiana. Among other responsibilities, I am responsible for determining which products to purchase for the company.

2. A product, which is the subject of Claim 23 of the captioned application, is sold under the trademark "Johnny Jolter." Our company began offering the "Johnny Jolter" product to customers in NOVEMBER 2005. Since that time, the sales of this product has been more rapid than expected based on my experience in selling hardware products. In 2006, our company offered approximately 42 products for unclogging drains and/or toilets. Of these products, the "Johnny Jolter" ranked third in total units sold.

3. The "Johnny Jolter" covered by Claim 23 of the captioned application has met with success because, to the knowledge of the undersigned, prior to its introduction, no other plunger on the market had the features of the "Johnny Jolter" (i.e., piston actuated plunger with a drain adapter having a greater length than width, end cap for cleaning, and grip portion). The commercial acceptance of the "Johnny Jolter" is directly related to the invention recited in Claim 23 of the subject patent application. To the knowledge of the undersigned, until Johnny Jolter was introduced into the marketplace, no other company marketed a plunger with these features.

All statements made herein are of my own knowledge are true and all statements made on information and belief are believed to be true; these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code; and that such willful false statements

may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Dated: 2/2/07

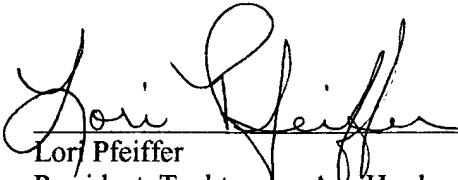
By:   
Lori Pfeiffer  
President, Teghtmeyer Ace Hardware Inc.



EXHIBIT B

**BARNES & THORNBURG LLP**

600 One Summit Square  
Fort Wayne, Indiana 46802  
(260) 423-9440


**PATENT APPLICATION  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Customer No.: 23641  
Application No.: 10/814437  
Confirmation  
No.: 5445  
Filing Date: March 30, 2004  
Attorney  
Docket No.: 37995/82816  
First Named  
Inventor: Eric C. Smith  
Group Art  
Unit: 3751  
Examiner  
Name: Tuan N. Nguyen  
Title: HAND-OPERABLE PISTON  
PLUNGER

Certificate Under 37 CFR 1.8(a)

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envelope addressed to: Mail Stop  
Amendment, Commissioner for Patents,  
P. O. Box 1450, Alexandria, VA 22313-  
1450

on February 8, 2007

  
Zellma Grunden

**DECLARATION UNDER 37 C.F.R. § 1.132 OF P.D. RHOADES**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I declare as follows:

1. I have over nineteen (19) years of experience in the hardware retail industry. I am currently a Sales Associate of Teghtmeyer Ace Hardware Inc. and have held this position for over twelve (12) years. Among other responsibilities, I am responsible for product sales at our company.

2. A product, which is the subject of Claim 23 of the captioned application, is sold under the trademark "Johnny Jolter." Our company has been offering the "Johnny Jolter" since NOVEMBER 2005. To the knowledge of the undersigned, until the Johnny Jolter was introduced into the marketplace, no other company marketed a plunger that had the features of the "Johnny Jolter" (i.e., piston actuated plunger with a drain adapter having a greater length than width, end cap for cleaning, and grip portion).

3. I have discussed the "Johnny Jolter" with approximately <sup>PDR</sup>30 customers who have purchased this product. In each of these conversations, the customers have commented on uniqueness of the "Johnny Jolter" compared to other plungers on the market.

All statements made herein are of my own knowledge are true and all statements made on information and belief are believed to be true; these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code; and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Dated: 02-03-07

By:

P.D. Rhoades  
P.D. Rhoades

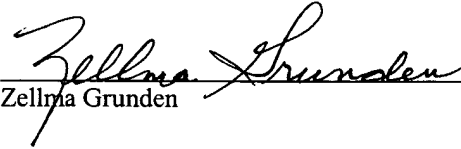


EXHIBIT C

**BARNES & THORNBURG LLP**

600 One Summit Square  
Fort Wayne, Indiana 46802  
(260) 423-9440

PATENT APPLICATION  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Customer No.:	23641	}	<u>Certificate Under 37 CFR 1.8(a)</u>
Application No.:	10/814437	}	
Confirmation		}	I hereby certify that this correspondence is
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Docket No.:	37995/82816	}	Amendment, Commissioner for Patents,
First Named		}	P. O. Box 1450, Alexandria, VA 22313-
Inventor:	Eric C. Smith	}	1450
Group Art		}	
Unit:	3751	}	on <u>February 8, 2007</u>
Examiner		}	
Name:	Tuan N. Nguyen	}	
Title:	HAND-OPERABLE PISTON PLUNGER	}	Zellma Grunden

**DECLARATION UNDER 37 C.F.R. § 1.132 OF RICK MULLENDORE**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I declare as follows:

1. I have over thirty (30) years of experience in the plumbing service industry. I have been licensed in Indiana as a Journeyman Plumber since 1992. I am also licensed in Indiana as a Plumber Contractor. I am employed with and a co-owner of Redman Plumbing and Heating, Inc. of Columbia City, Indiana. Among other duties, I am responsible for servicing clogged toilets and drains.

2. A product, which is the subject of Claim 23 of the captioned application, is sold under the trademark "Johnny Jolter." When I was initially introduced to the "Johnny Jolter," I was skeptical whether the product would function as well as other products on the market. I now use the "Johnny Jolter" as my company's plunger of choice.

3. To the knowledge of the undersigned, until the Johnny Jolter was introduced into the marketplace, no other company marketed a plunger that had the features of the "Johnny Jolter" (i.e., piston actuated plunger with a drain adapter having a greater length than width, end cap for cleaning, and grip portion). These features of the Johnny Jolter, which are the subject of Claim 23, are unique compared to other plungers on the market that I have seen.

4. On at least thirty (30) occasions, customers have asked to purchase my "Johnny Jolter" on the spot when the customer sees me using the "Johnny Jolter" to fix the customer's clogged drain or toilet.

All statements made herein are of my own knowledge are true and all statements made on information and belief are believed to be true; these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code; and that such willful false statements

may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.


Dated: 1-26-07 By:   
Rick Mullendore



EXHIBIT D

BARNES & THORNBURG LLP

600 One Summit Square  
Fort Wayne, Indiana 46802  
(260) 423-9440

PATENT APPLICATION  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Customer No.: 23641

Application No.: 10/814437

Confirmation  
No.: 5445

Filing Date: March 30, 2004

Attorney  
Docket No.: 37995/82816

First Named  
Inventor: Eric C. Smith

Group Art  
Unit: 3751


Examiner  
Name: Tuan N. Nguyen

Title: HAND-OPERABLE PISTON  
PLUNGER

Certificate Under 37 CFR 1.8(a)

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Amendment, Commissioner for Patents,  
P. O. Box 1450, Alexandria, VA 22313-  
1450

on February 8, 2007

  
Zellma Grunden

DECLARATION UNDER 37 C.F.R. § 1.132 OF JAY MEREDITH

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I declare as follows:

1. I have over twenty (20) years of experience in the plumbing service industry. I am currently a Service Manager of Flow-Tech Plumbing and Heating, Inc. of Columbia City, Indiana and have held this position for over five (5) years. Among other responsibilities, I am responsible for servicing clogged toilets and drains.

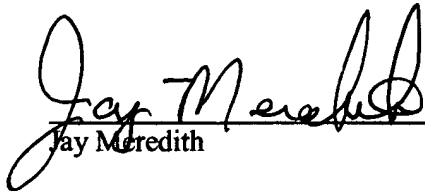
2. A product, which is the subject of Claim 23 of the captioned application, is sold under the trademark "Johnny Jolter." In the fall of 2005, I was introduced to this product. As shown by the letter attached as Exhibit A, both myself and my service plumber were initially skeptical about the "Johnny Jolter." Our company now exclusively uses the "Johnny Jolter" for our plunger.

3. To the knowledge of the undersigned, until the Johnny Jolter was introduced into the marketplace, no other company marketed a plunger that had the features of the "Johnny Jolter" (i.e., piston actuated plunger with a drain adapter having a greater length than width, end cap for cleaning, and grip portion). These features of the Johnny Jolter, which are the subject of Claim 23, are unique compared to other plungers on the market that I have seen.

All statements made herein are of my own knowledge are true and all statements made on information and belief are believed to be true; these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code; and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Dated: 1-27-07

By:

  
Jay Meredith